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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,851	07/10/2003	Gerard Power	139148	1838
24587 7590 01/08/2008 ALCATEL LUCENT INTELLECTUAL PROPERTY & STANDARDS 3400 W. PLANO PARKWAY, MS LEGL2 PLANO, TX 75075			EXAMINER CARDENAS NAVIA, JAIME F	
			ART UNIT 4182	PAPER NUMBER
			MAIL DATE 01/08/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/616,851

**Applicant(s)**

POWER, GERARD

**Examiner**

JAIME F. CARDENAS NAVIA

**Art Unit**

4182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-893)  
Paper No(s)/Mail Date December 5, 2005  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Introduction***

1. This **NON-FINAL** action is in response to applicant's submission filed on July 10, 2003. Claims 1-16 are currently pending.

### ***Information Disclosure Statement***

2. The information disclosure statements (IDS) filed on July 10, 2003 has been considered by the examiner.

### ***Drawings***

3. **The drawings are objected to** because Fig. 1 does not contain sufficient descriptive detail. Fig. 1 merely comprises boxes with numbers and arrows, and does not provide understanding or explanation of the claimed invention. Fig. 1 should be amended to include labels describing the components or processes of the claimed invention. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

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consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 2, 11, 12, 13, 15, and 16 are rejected under 35 U.S.C. 112, second paragraph,** as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Regarding claim 2**, “setting a utilization threshold per network element” should be changed to “setting a utilization threshold for each of said network elements” to make clear that the network elements with utilization thresholds are the network elements being determined.

**Regarding claim 11**, “substantially” is a relative term, which renders the claim indefinite. It is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

**Regarding claim 12**, in the determining step, “a utilization threshold per network element” should be changed to “a utilization threshold for each of said plurality of network elements” to make clear that the network elements with utilization thresholds are the network elements being determined.

**Regarding claim 13**, “feasible” is a relative term, which renders the claim indefinite. It is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

**Regarding claim 15**, “generating a forecast net income” should be changed to either “generating a forecast of net income” or preferably “forecasting net income.”

**Regarding claim 16**, “substantially” is a relative term, which renders the claim indefinite. It is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. **Claims 1-11 are rejected under 35 U.S.C. 101** because the claimed invention is directed to non-statutory subject matter. The steps of estimating, translating, determining, and forecasting may be interpreted as involving no more than a manipulation of an abstract idea. The claimed invention as a whole does not accomplish a practical application. To qualify as accomplishing a practical application, an invention must produce a “useful, concrete, and tangible result.” The claimed invention lacks concreteness, as the steps involved are vague and so a concrete result cannot be assured. Additionally, the method claims determining network elements that “may be” used, which further emphasizes the lack of a concrete result and means that the claimed invention lacks usefulness (no specific utility). See *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1, 2, and 11 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Behrens et al. (US 7,082,401 B2) in view of Carlson et al. (US 2006/0120282 A1).

**Regarding claim 1**, Behrens teaches:

A method for network planning (col. 1, lines 12-16), comprising the steps of:

estimating demand for a plurality of services to be provided by a network over a period of time (col. 2, lines 39-45, col. 3, lines 29-32, 62-64);

translating said demand for said plurality of services to determine network elements that may be used in said network over said period of time to provide said plurality of services (col. 3, lines 64-67, col. 4, lines 1-2); and

forecasting network growth over said period of time based upon said determination of network elements that may be used and current network resources (col. 3, lines 29-32); and

forecasting financial metrics (col. 7, lines 17-21).

Behrens does not teach:

translating said demand for plurality of services into required bandwidth flows.

Carlson teaches:

translating said demand for plurality of services into required bandwidth flows (par. 94, lines 4-6, par. 95, lines 1-6).



The inventions of Behrens and Carlson pertain to improvements in providing network services. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Carlson does not teach away from or contradict Behrens, but rather, teaches a step that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the improvement in the accuracy of the forecasting which would lead to lower costs.

**Regarding claim 2, Behrens teaches:**

A method as in claim 1, wherein said translating step comprises:  
setting a utilization threshold per network element (col. 7, lines 23-26, 46-47, 53-54);  
determining said network elements that may be used based upon said utilization threshold (col. 3, lines 64-67, col. 7, lines 39-46); and  
generating a network model comprising said network elements that may be used (col. 6, lines 46-51).

**Behrens does not teach:**

estimating bandwidth flows for each of said plurality of services;  
determining said network elements that may be used based upon said estimated  
bandwidth flows.

**Carlson teaches:**

estimating bandwidth flows for each of said plurality of services (par. 94, lines 4-6, par. 95, lines 1-6);

determining said network elements that may be used based upon said estimated bandwidth flows (par. 94, lines 4-6, par. 95, lines 1-6).

The inventions of Behrens and Carlson pertain to improvements in providing network services. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Carlson does not teach away from or contradict Behrens, but rather, teaches a step that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the improvement in the accuracy of the forecasting which would lead to lower costs.

**Regarding claim 11,** Behren teaches:

wherein said method is substantially automated (col. 1, lines 12-16, col. 4, lines 28-32).

10. **Claims 3-10 and 12-16 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Behrens et al. (US 7,082,401 B2) in view of Carlson et al. (US 2006/0120282 A1), further in view of Stutely (Stutely, Richard. The Definitive Business Plan, Second Edition. FT Press. April 23, 2002).

**Regarding claim 3,** Behrens teaches:

estimation of said demand for said plurality of services and determination of network elements that may be used (col. 2, lines 39-45, col. 3, lines 29-32, 62-64); and

determination of network elements that may be used (col. 3, lines 64-67, col. 7, lines 39-46).

Neither Behrens nor Carlson teaches:

forecasting operating expenses over said period of time.

forecasting capital expenditures over said period of time.

Stutely teaches:

forecasting operating expenses over said period of time (Ch. 9, Operating Expenditure section, p. 18-23).

forecasting capital expenditures over said period of time (Ch. 9, Capital Spending, Capital Assets That You Already Own, Capital Assets That You Want, and Accounting for Fixed Assets sections, p. 9-17).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of computing deployment costs (col. 7, lines 17-21).

**Regarding claim 4**, Behrens teaches:

estimating demand for said plurality of services (col. 2, lines 39-45, col. 3, lines 29-32, 62-64).

Neither Behrens nor Carlson teaches:

forecasting revenue.

Stutely teaches:

forecasting revenue (Ch. 8, Forecasting Sales Volumes and Up Close and Personal – Industry and Product Demand sections, p. 1-8).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 5**, neither Behrens nor Carlson teaches:

depreciating said capital expenditures forecast to generate a capital expense depreciation forecast.

Stutely teaches:

depreciating said capital expenditures forecast to generate a capital expense depreciation forecast (Ch. 9, Capital Assets That You Already Own, p. 10-11).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of

ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 6**, neither Behrens nor Carlson teaches:

forecasting an operating income based upon said operating expenses forecast, said capital expenditures forecast, and said capital expense depreciation forecast.

Stutely teaches:

forecasting an operating income based upon said operating expenses forecast, said capital expenditures forecast, and said capital expense depreciation forecast (Ch. 9, Net Profit section, p. 24-26).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 7**, neither Behrens nor Carlson teaches:

forecasting a net income based upon said operating income forecast and other expenses.

Stutely teaches:

forecasting a net income based upon said operating income forecast and other expenses (Ch. 9, Net Profit section, p. 24-26).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 8, Behrens teaches:**

determining a net change in network elements (col. 7, lines 39-43).

Neither Behrens nor Carlson teaches:

determining a net change in network elements based upon said capital expenditures forecast, said capital expense depreciation forecast and said net income forecast.

Stutely teaches:

determining a net change in elements based upon said capital expenditures forecast, said capital expense depreciation forecast and said net income forecast (Ch. 11, Will It Pay Off? section, p. 35-40).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their

respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 9**, neither Behrens nor Carlson teaches:

generating a forecasted profit and loss statement.

Stutely teaches:

generating a forecasted profit and loss statement (Ch. 9, Net Profit section, p. 24-26).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 10**, neither Behrens nor Carlson teaches:

wherein said profit and loss statement comprises a cash flow analysis.

Stutely teaches:

wherein said profit and loss statement comprises a cash flow analysis (Ch. 10, Balance Sheets and Cash Flow Mechanics section, p. 29-34, Ch. 11, Will It Pay Off? section, Step 1: Making Your Cash Flow Forecasts subsection, p. 35-36).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 12,** Behrens teaches:

A method for forecasting profitability of a network carrier (col. 7, lines 17-21) utilizing at least one network model having a plurality of network elements (col. 6, lines 46-51) comprising the steps of:

estimating demand for a plurality of services to be provided by a network over a period of time (col. 2, lines 39-45, col. 3, lines 29-32, 62-64);

determining a network model comprising a plurality of network elements (col. 6, lines 46-51) based upon a utilization threshold per network element (col. 7, lines 23-26, 46-47, 53-54);

forecasting network growth over said period of time based upon said network model and current network resources (col. 3, lines 29-32);



estimating said demand for said plurality of services and said network model (col. 2, lines 39-45, col. 3, lines 29-32, 62-64, col. 7, lines 23-26, 46-47, 53-54);

Behrens does not teach:

estimating bandwidth flows for each of said plurality of services;

determining a network model comprising a plurality of network elements based upon said estimated bandwidth flows;

generating a forecasted profit and loss statement.

Carlson teaches:

estimating bandwidth flows for each of said plurality of services (par. 94, lines 4-6, par. 95, lines 1-6);

determining a network model comprising a plurality of network elements based upon said estimated bandwidth flows (par. 94, lines 4-6, par. 95, lines 1-6).

The inventions of Behrens and Carlson pertain to improvements in providing network services. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Carlson does not teach away from or contradict Behrens, but rather, teaches a step that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the improvement in the accuracy of the forecasting which would lead to lower costs.

Stutely teaches:

generating a forecasted profit and loss statement (Ch. 9, Net Profit section, p. 24-26).

The disclosure of Stutely, Behrens, and Carlson pertain to forecasting the needs and finances of a business to ensure its success. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 13,** Behrens teaches:

forecasting network growth (col. 3, lines 29-32).

Neither Behrens nor Carlson teaches:

determining financial feasibility based upon said forecasted profit and loss statement.

Stutely teaches:

determining financial feasibility based upon said forecasted profit and loss statement (Ch. 9, Net Profit section, p. 24-26, Ch. 11, Will It Pay Off? section, p. 35-40).

The disclosure of Stutely, Behrens, and Carlson pertain to forecasting the needs and finances of a business to ensure its success. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would

have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 14**, Behrens teaches:

estimating demand for a plurality of services (col. 2, lines 39-45, col. 3, lines 29-32, 62-64) and determining a network model (col. 6, lines 46-51).

Neither Behrens nor Carlson teaches:

forecasting operating expenses and capital expenditures.

Stutely teaches:

forecasting operating expenses over said period of time based upon demand for a plurality of services and a business model (Ch. 9, Operating Expenditure section, p. 18-23); and

forecasting capital expenditures over said period of time based upon a business model (Ch. 9, Capital Spending, Capital Assets That You Already Own, Capital Assets That You Want, and Account for Fixed Assets sections, p. 9-17).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of computing deployment costs (col. 7, lines 17-21).

**Regarding claim 15**, neither Behrens nor Carlson teaches:

forecasting revenue;

forecasting operating income based upon said revenue forecast, said operating expenses forecast and said capital expenditures forecast;

forecasting other expenses; and

generating a forecast net income.

Stutely teaches:

forecasting revenue (Ch. 8, Forecasting Sales Volumes and Up Close and Personal – Industry and Product Demand sections, p. 1-8);

forecasting operating income based upon said revenue forecast, said operating expenses forecast and said capital expenditures forecast (Ch. 9, Net Profit section, p. 24-26);

forecasting other expenses (Ch. 9, Net Profit section, p. 24-26, Other Income and Expenditure section, p. 27-28); and

generating a forecast net income (Ch. 9, Net Profit section, p. 24-26).

The disclosure of Stutely pertains to a known technique that is applicable to the invention of Behrens and Carlson. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Stutely does not teach away from or contradict the inventions of Behrens and Carlson. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching in Behrens of optimizing the network plan (col. 7, lines 39-43).

**Regarding claim 16**, Behrens teaches:

wherein said method is substantially automated (col. 1, lines 12-16, col. 4, lines 28-32).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAIME F. CARDENAS NAVIA whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Fri, 7:30AM - 5:00PM EST, Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571) 272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 5, 2007

/JAIME CARDENAS-NAVIA/  
Examiner, Art Unit 4182

/Thu Nguyen/  
Supervisory Patent Examiner, Art Unit 4182